

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KENT J. RODRIGUEZ, *Individually and On Behalf of All Others Similarly Situated*,

Plaintiff,

-v-

DRAFTKINGS INC. f/k/a DIAMOND EAGLE ACQUISITION CORP., JASON D. ROBINS, JASON K. PARK, JEFF SAGANSKY, and ELI BAKER,

Defendants.

ORDER

21 Civ. 5739 (PAE)

MICHIEL TEN HOORN, *Individually and on Behalf of All Others Similarly Situated*,

Plaintiff,

21 Civ. 6497 (PAE)

-v-

DRAFTKINGS INC. f/k/a DIAMOND EAGLE ACQUISITION CORP., JASON D. ROBINS, JASON K. PARK, JEFF SAGANSKY, and ELI BAKER,

Defendants.

PAUL A. ENGELMAYER, District Judge:

The Court has received the parties' joint letter proposing dates for the filing of a consolidated amended complaint and defendants' response thereto. Dkt. 48. The Court adopts the proposed schedule as modified below.

- Deadline for lead plaintiff to file consolidated amended complaint: **January 11, 2022**.
- Deadline for defendants to respond to consolidated amended complaint by Answer or motion to dismiss: **February 22, 2022**.

- If defendants respond to the amended complaint by motion to dismiss, deadline for lead plaintiff to file opposition papers: **April 5, 2022**.
- Deadline for defendants to file reply: **April 26, 2022**.
If lead plaintiff chooses to amend the complaint rather than oppose defendants' motion to dismiss, lead plaintiff's second amended complaint will be due **April 5, 2022**. No further opportunities to amend will ordinarily be granted. If plaintiff does amend, by **April 26, 2022**, defendants shall: (1) file an answer; (2) file a new motion to dismiss; or (3) submit a letter to the Court, copying lead plaintiff, stating that they rely on the previously filed motion to dismiss.¹

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: November 22, 2021
New York, New York

¹ If defendants file a new motion to dismiss or rely on their previous motion, plaintiff's opposition will be due 14 days thereafter, and defendants' reply, if any, will be due seven days after that.